IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 27721 of 2007(A)

PETITIONERS:
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1. **K.MUHAMMED @ KUNNUMMAL MUHAMMED, S/O.ABU, AGED 45 YEARS, KUNNUMMAL HOUSE, PUDUPPADY AMSOM DESOM, ADIVARAM P.O., THAMARASSERY - VIA, KOZHIKODE DISTRICT.**

2. **UMMER @ AYAKKODAN UMMER, S/O.AYAMMED, AYAKKODAN HOUSE, PUDUPPADY AMSOM DESOM, ADIVARAM P.O., THAMARASSERY - VIA, KOZHIKODE DISTRICT.**

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO GOVERNMENT, DEPT OF REVENUE, GOVT.SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DISTRICT COLLECTOR, KOZHIKODE.**

3. **THE TAHSILDAR, KOZHIKODE TALUK.**

4. **THE VILLAGE OFFICER, PUDUPPADY VILLAGE THAMARASSERY - VIA, KOZHIKODE DISTRICT.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 27721 OF 2007
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Dated this the 18th day of September, 2007

J U D G M E N T

It is the contention of the petitioners that they had purchased certain properties by Exhibits P1 and P4 documents. According to them, they are sought to be evicted from these lands by issuing Exhibits P3 and P6. It is complained that there was no notice or opportunity provided to them before eviction was ordered. Since petitioners are claiming ownership over the properties involved in Exhibits P3 and P6, the minimum requirement is that they should be put on notice and are heard before they are ordered to be evicted from the premises occupied by them.

2. Accordingly,I dispose of this writ petition with the following directions.

Exhibits P3 and P6 shall be treated as show cause

notices and the petitioners will file their objections, if any within two weeks from today to the 3rd respondent. On receipt of the objections, the 3rd respondent will afford them an opportunity of hearing and thereafter adverting to the contentions raised by them orders will be passed and communicated to the petitioners. If orders that are passed pursuant to Exhibits P3 and P6 are adverse to the petitioners, that will not be implemented for two weeks thereafter. In the meantime, further proceedings pursuant to Exhibits P3 and P6 shall be kept in abeyance. If the petitioners do not file objections to Exts. P3 and P6 within the time specified above, respondents can proceed against them as originally proposed.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp